

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LESLEY POMPY,

Plaintiff,

v.

Case Number 19-10334

Honorable David M. Lawson

Magistrate Judge Anthony P. Patti

TINA TODD, JESSICA CHAFFIN,
JACK VITALE, MARC MOORE,
ROBERT BLAIR, JON LASOTTA,
SHAWN KOTCH, BRIAN BISHOP,
SHELLY EDGERTON, SEAN M.
SIEBIGTEROTH, KIM GAEDEKE,
VAUGHN HAFNER, and DINA YOUNG,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING IN PART
MOTION TO DISMISS, AND STAYING PROCEEDINGS AGAINST DEFENDANTS
BLAIR AND LASOTTA ONLY**

Presently before the Court is a report issued on October 30, 2020 by Magistrate Judge Anthony P. Patti pursuant to 28 U.S.C. § 636(b), recommending that the Court grant in part a motion to dismiss filed by the Monroe County defendants, dismiss all of the claims against some of the moving defendants but only some of the claims against others, and stay the proceedings on the surviving claims against two remaining County defendants.

Although the magistrate judge's report stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

However, the Court agrees with the findings and conclusions of the magistrate judge. The Court therefore will adopt the magistrate judge's recommendations.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 106) is **ADOPTED**, and the defendants' motion to dismiss (ECF No. 97) is **GRANTED IN PART AND DENIED IN PART**.

It is further **ORDERED** that all of the plaintiff's claims against defendants Tina Todd, Jessica Chafin, and Jack Vitale are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that the claims against defendants Robert Blair and Jon LaSotta based on their involvement with a search of the plaintiff's home and office and seizure therein of his medical and financial records are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that the defendants' motion to dismiss is **DENIED** in all other respects. However, the proceedings on the remaining claims against defendants Blair and LaSotta are **STAYED** until further order of the Court.

It is further **ORDERED** that the referral of the case to the assigned magistrate judge under the previous order of reference is **CONTINUED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Date: November 23, 2020